

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NEXTUNE, INC.,

Plaintiff,

v.

ROBERT BUCKNER MCKINNEY,
et al.,

Defendants.

C12-1974 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) A court should allow for jurisdictional discovery “where pertinent facts bearing on the question of jurisdiction are controverted or where a more satisfactory showing of the facts is necessary.” Data Disc, Inc. v. Systems Tech. Assocs., 557 F.2d 1280, 1285 n.1 (9th Cir. 1977). Plaintiff’s Amended Complaint, docket no. 18, fails to allege sufficient facts to support jurisdiction. Before ruling on Mr. Harrison’s Motion to Dismiss for Lack under Rule 12(b)(2), docket no. 10, the Court will allow Plaintiff an opportunity to conduct additional jurisdictional discovery.

(2) Plaintiff may conduct discovery limited to the issue of jurisdiction only and shall file any supplemental response to Mr. Harrison’s Motion to Dismiss under Rule 12(b)(2), docket no. 10, by March 15, 2013. Such supplemental response shall not exceed ten (10) pages in length. Mr. Harrison may file a reply, not to exceed five (5) pages in length by March 22, 2013. The parties shall address, in their supplemental briefing, whether the Court should transfer this case to another jurisdiction if the Court concludes it lacks personal jurisdiction over Mr. Harrison.

(3) Defendant Harrison’s Motions to Dismiss Pursuant to Fed. R. Civ. Pro. 12(b)(2) and 12(b)(6), docket nos. 10, 15, are RENOTED to March 22, 2013.

(4) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 29th day of January, 2013.

William M. McCool
Clerk

s/Claudia Hawney
Deputy Clerk